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A proposed South Carolina state plan for adult basic education under the Adult Education Act of 1966 (Title III of P.L. 89-750) outlines basic organizational provisions (custody of funds, selection of instructional personnel, curriculum, program evaluation, state and local advisory committees, and cooperation in antipoverty efforts); guidelines for special projects, teacher training, and research, fiscal control and accounting (including records, auditing, and disbursements, policies and procedures for state administrative review and evaluation, regulations on reports and amendments; powers and duties of the State Board of Education, the Superintendent of Education, the State Treasurer, and other state authorities, state laws and regulations on allowable expenditures, annual leave, employee benefits, audit and accounting procedures, and payment of funds to local educational agencies, and the cooperative agreement between the South Carolina State Board of Health and the State Department of Education. An organizational chart is included. (1y)

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# **SOUTH CAROLINA STATE PLAN**

FOR

## **ADULT BASIC EDUCATION**

Adult Education Act of 1966  
(Title III of P. L. 89-750)



STATE DEPARTMENT OF EDUCATION  
Division of Instruction — Office of Adult Education  
1416 Senate Street — Columbia, South Carolina

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State Superintendent of Education

HE002702

ADULT BASIC EDUCATION

SOUTH CAROLINA STATE PLAN FOR  
ADULT BASIC EDUCATION  
UNDER  
ADULT EDUCATION ACT OF 1966

TITLE III OF P. L. 89-750

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## STATE PLAN FOR ADULT BASIC EDUCATION

### 1.0 State Plan Purposes.

Purpose. The primary purpose of the State Plan is to present the manner and procedures under which the State will further develop and expand adult basic education programs of instruction. The State Plan will encourage flexible and imaginative programs which will enable undereducated adults in all areas of the State to improve their basic education skills in preparation for occupational training and more profitable employment, to become more productive and responsible citizens, and to provide the basis on which Federal monies are expended.

#### 1.1 State Agency.

1.11 Designation. The South Carolina State Board of Education is the state educational agency.

1.12 Official title of officer. The State Superintendent of Education is authorized to submit the plan and amendments thereto.

1.13 Administrative authority. The State Superintendent of Education as the administrative officer of the State Board of Education is authorized to administer the State Plan program through the State Department of Education.

#### 1.2 Custody of Funds.

1.21 Receipt and safeguarding of Federal funds. The official title and address of the officer who will have authority to receive and have custody of Federal funds is the State Treasurer, State House, Columbia, South Carolina 29201.

1.22 Use of Federal funds. All Federal funds granted to the State under the Act shall be expended solely for the purpose for which they are granted, and any funds not expended, including funds lost or diverted to other purposes, shall be paid to the U. S. Office of Education.

#### 1.3 Organization.

State Department of Education. The State Superintendent of Education exercises general supervision over the state system of public education in order to promote progress, to determine problems and needs, and to recommend improvements. He selects and appoints division directors and other professional staff to assist him in the discharge of his duties. (See Organizational Chart, Appendix A-1(A) ).

#### 1.4 Personnel.

Office of Adult Education. The Office of Adult Education has direct administrative responsibility for adult general education of

which adult basic education is an integral component. The recruitment and selection of state agency staff will conform to the criteria in the following table.

Criteria:

	Admini- strative	Super- visory	Consultant
A. Educational Training			
1. Doctorate	*	*	*
2. Masters Degree	x	x	x
3. B. A.	x	x	x
4. Other	x	x	x
B. Additional Professional Qualifications			
1. Administrative experiences			
a. State level	*	*	*
b. Local level	*	*	*
2. Supervisory experiences			
a. State level	*	*	*
b. Local level	*	*	*
3. Teaching experiences	x	x	x
4. Teaching experience with adults	*	*	*
5. Teaching certification	x	x	x
6. Endorsements and/or recommenda- tions	x	x	x
7. Some basic training in guidance	x	x	x
8. Some professional training in adult education	*	*	*

The following personal qualifications also should be considered in filling a State staff position.

1. Appearance
2. Age
3. Innovative qualities
4. Dedication to the teaching profession
5. Social and moral standing in state and/or community
6. Ability to work with adults
7. Empathy
8. Creativity and initiative
9. Ability to speak the prevailing language in the community
10. Sincerity
11. Ability to evaluate and recognize individual differences
12. Ability to organize, facilitate, and expedite

This allows the State Superintendent to fill a position with the best available qualified individual after considering the situation in the existing vacancy in terms of the job to be done.

x Minimum qualifications

\* Desired qualifications



1.5 State and Local Advisory Committees.

State and local advisory committees shall be appointed by the respective proper authorities in order to assure that state plan programs are meeting the educational needs of the communities and to improve reporting of State and local administration of adult basic education programs conducted under the State plan. The function of these committees will be advisory in nature and not executive.

Advisory committees may include but not necessarily be limited to the following:

- (1) a committee to advise the State Board of Education in setting standards and in developing adult basic education programs to serve the needs of the State;
- (2) a committee to advise local school administrators in the development of local adult basic education programs;
- (3) a committee to advise local school officials concerning adult basic education training needed for industry;
- (4) a committee to advise local school officials concerning adult basic education as a component in occupational training programs.

1.6 Program of Instruction.

General description of programs. Local educational agencies, subject to approval of the State Department of Education, provide for programs of instruction in adult basic education. These programs are designed to eliminate the inability of adults eighteen years and older in need of basic education (grades 0-8) to read and write English and to so raise the educational level of such adults as to make them less likely to become dependent on others, thereby making them able to better meet their adult responsibilities for employment and as parents and citizens.

The highest priority is given to those programs which have the greatest impact on the areas within the State and its school districts in which are concentrated the highest incidence of poverty and the most severe educational deficiencies.

The curricula of adult basic education programs shall include organized and systematic instruction in the communication and computational skills of reading, writing, speaking, listening, and arithmetic, using as content for teaching these skills materials that contain information on such adult experiences as consumer buying practices, health habits, relations with other members of the family and community, homemaking, citizenship responsibilities, and other applicable areas. Emphasis is placed first on instruction in speaking, reading, and writing the English language for persons functioning at the fifth grade level or below. Second priority is given to such instruction for persons functioning above the fifth and through the eighth grade level.

1.7 Program Criteria.

State-developed Criteria. Priority in approving local program plans by the State Department of Education shall be contingent upon the degree to which local plans meet the following criteria:

- (1) Provision of service to those areas in the State which have the highest concentrations of impoverished adults in need of basic education;
- (2) Provision of service to those adults with the greatest educational deficiencies which are impairing their ability to obtain employment and become more productive and responsible citizens;
- (3) Development of the program in conjunction with Community Action programs, Manpower Development and Training Programs, Work Experience Programs, Work Study Programs, Vocational Education Programs, and other programs relating to the anti-poverty effort, and representing part of a coordinated attack on poverty within a particular community;
- (4) Utilization of qualified instructional staff, adequate facilities, equipment, materials, and guidance and counseling services;
- (5) Provision of health information and services available through cooperative arrangements with State health authorities;
- (6) Identification and recruitment of those impoverished adults who are in need of basic education;
- (7) Utilization of Volunteers in Service to America, college work-study personnel, and other non-professionals in appropriate positions;
- (8) Incorporation of results of research or techniques which have proven effective;
- (9) Utilization of flexible, innovative, imaginative, and effective methods in providing basic education to those most in need of it;
- (10) Provision for effective administration and supervision by the local educational agency to assure efficient and economical operation.

1.8 Cooperative Arrangements between State educational agency and State health authority.

Because of the importance of health to the individual's total well being, special arrangements are made with State health authorities and the Supervisor of Health Education in the State Department of Education and through them to county and school district personnel to assist in the provision of health information and services to adults enrolled in basic education classes. (See Appendix B.)

1.9 Cooperation in Anti-Poverty efforts.

- 1.91 Community action programs. The State educational agency and local educational agencies participating in the Adult Basic Education Program shall continue cooperative arrangements and close working relationships with community action programs and organizations (Economic Opportunity Act of 1964, as amended). Coordination shall take such forms as joint development of programs, identification, recruitment, and referral of adults in need of basic education.
- 1.92 Work experience programs. Whenever appropriate and feasible, the State educational agency and local educational agencies participating in the program shall continue cooperative arrangements with work-experience programs. In addition, coordination with other programs under the Economic Opportunity Act and with the Elementary and Secondary Act (P.L. 89-10) should be achieved, since many of these purposes are complementary to adult basic education.
- 1.93 Other agencies, organizations, and institutions. The State Department of Education or local educational agencies shall continue cooperative arrangements with other State or local public or non-public, non-profit agencies and organizations which assist in promoting the objectives of the Act. Such agencies include CAMPS (Cooperative Area Manpower Planning System), employment offices, welfare agencies, other educational agencies and institutions, the programs under the Elementary and Secondary Education Act (P.L. 89-10), and non-profit charities and foundations, such as the Opportunity School, the Mental Health Commission, the STEP program (Manpower Development and Training Act, as amended), vocational education, colleges, universities, state correctional institutions, sanatoria, and the like.
- 1.94 Special areas within the State. Special arrangements are made for metropolitan areas, sparsely settled areas, economically depressed areas, and other areas having special basic adult education needs which are not otherwise sufficiently supplied. This includes arrangements for cooperative purposes between or among County or District Boards of Education or a combination of such boards or by programs operated by the State Department of Education or by special educational centers operated under Title III of the Elementary and Secondary Act (P.L. 89-10).



2.0 Special Projects, teacher training, and research.

2.1 Policies, procedures, criteria, and priorities in selection of projects.

It shall be the policy of the State Board of Education, upon the recommendation of the State Department of Education, to approve special projects conducted by local educational agencies, institutions, or Community Action programs on the basis of the extent to which the program plan meets the criteria for approval and the extent to which these projects are designed to carry out any or all of the following objectives:

- (1) the demonstration, testing, or development of modifications or adaptations, in the light of local needs, of special materials or methods for instruction of adults in need of basic education;
- (2) the stimulation of the development of local educational programs for instruction of adults in need of basic education in public schools or other facilities; and
- (3) the acquisition of additional information concerning materials and methods needed for an effective program of instruction for raising adult basic education skills.

2.2 Criteria and priorities applied for programs at eighth grade level or below. All special projects presented to the State Department of Education for approval by the Board shall be developed in the form of a plan. The plan shall include the name and purpose of the project; a description of methods and procedures to be followed; personnel to be involved; the extent and duration of the project, including an estimate of expenses; and provision for evaluation. Priority will be given to special projects, teacher training, and research programs related to speaking, reading, or writing the English language at the eighth grade level or below.

Teacher training. The State Department of Education shall assume the responsibility for coordinated efforts to provide pre-service and in-service training for professional staff and instructional personnel.

When authorized by the State Superintendent, the Division Director may enter into agreements with authorized representatives of approved teacher training institutions to provide for pre-service and in-service training for prospective and in-service administrators, supervisors, and teachers through approved courses, workshops, and institutes.

Research. The Division shall assume the responsibility to develop various types of studies and research related to adult basic education, methods of teaching and learning, trends, surveys, and evaluations of adult basic education programs, and other work of value to the development or improvement of the program of adult basic education. The resources in the Division of Research Experimentation and Surveys shall be available to assist in the development of these research studies.

2.3 Grants to private nonprofit agencies.

The State Department of Education provides for grants to public and private nonprofit agencies for special projects, teacher training, and research, provided the project meets with the terms and conditions of the grant as stated in the Act (P.L. 89-750).

3.0 State fiscal control and accounting procedures.

- 3.1 General. Accounting procedures for all funds, including Federal monies, expended for adult basic education programs under this plan shall be in accordance with Financial Accounting for District and County School Units, South Carolina State Department of Education. (See Appendix C)
- 3.2 Accounting basis and authority. The cash accounting basis shall be used for expenditures on the state and local level for all programs operated under the State Plan with the following exception: any obligations incurred prior to the close of the fiscal year (June 30) as evidenced by an approved requisition, purchase order, or contract may be liquidated by August 31 of the succeeding fiscal year and charged to the year in which the obligation was incurred. (South Carolina General Appropriation Act, 1965-66, Section 91. See Section 7.8.)
- 3.3 Adequacy of records. The official accounts and documents showing receipts and expenditures of funds for adult basic education programs will be adequate to permit an accurate and expeditious audit of the program.
- 3.4 Location and availability of records.

- 3.41 State level. The official accounts and documents showing receipts and expenditure of funds by the State Agency under the approved State Plan will be maintained by the following agencies:

South Carolina State Department of Education,  
Columbia, South Carolina; South Carolina  
Comptroller General, Columbia, South Carolina;  
South Carolina State Treasurer, Columbia,  
South Carolina.

- 3.42 Local level. The official accounts and documents showing receipts and expenditure for funds by local educational agencies under the approved State Plan will be maintained by the following agencies:

District Superintendent of Schools  
County Superintendent of Education  
County Treasurer  
South Carolina State Department of Education

3.5 Audit of expenditures.

- 3.51 State audit of State accounts. The accounts of the South Carolina State Department of Education are audited by the State Auditor of South Carolina. These audits will be made annually and copies of such audits will be available in the office of the State agency.

- 3.52 Audit of participating agencies' accounts. The accounts of participating agencies will be audited by independent certified auditing agencies. These audits will be made annually and copies of such audits will be available in the office of the State agency.

3.6 Disbursement of Funds.

- 3.61 Basis of disbursement of funds. Funds paid to local educational agencies will be made on the basis of evidence of such expenditures submitted to the State Department of Education by the local agencies, on the basis of an advance payment, on the basis of an approved plan, or a combination of these methods. The advance of funds to an institution or agency will not be deemed an expenditure of such funds until the State has satisfied itself through an audit by an appropriate State audit agency or staff or independent certified public accountant of the correctness of amounts claimed by the local agency or institution.

When a local project plan has been submitted to the State Department of Education and approved, the State Department of Education shall make an advance payment which shall be twenty-five percent of the total approved budget for the project to the district. As funds are expended on the project, and when additional funds are needed, the local district shall requisition funds to restore the project account at the local level to the amount established by the original 25%. The requisition submitted to the State Department of Education for these funds will be supported by necessary documentation.

At the conclusion of the project, a report submitting paid invoices to cover expenditures not previously reported with requisitions for additional funds will be made to the State Department of Education by the local education agency. After this final report has been audited, additional funds due the district will be sent to the district through normal channels. The district will be directed as to what disposition should be made of any unexpended funds.

- 3.62 Title of disbursing officer. The official title of the officer who will have authority to authorize expenditures under the State plan is the State Superintendent of Education.



4.0 Policies and Procedures for State Agency Administrative Review and Evaluation.

4.1 General policy. The State Superintendent of Education, subject to approval by the Board, shall provide personnel and such supervisory, technical, and administrative services as are necessary to meet the requirements and objectives of adult basic education under the State Plan.

4.2 Services to be provided. The following services shall be provided:

- (A) Supervision of approved local programs of instruction and special projects to the extent necessary to provide adequate consultation and assistance for local educational agencies responsible for such programs and to assure compliance with and attainment of State plan requirements and objectives.
- (B) Periodic evaluation of local programs of instruction and special projects (including use of measurement devices, standardized tests, or other methods for determining student achievement levels and progress) with results being used for necessary change and improvement in the program.
- (C) Development and adaptation of methods and materials which are most up-to-date and effective in the conduct of adult education programs, either within the State Department of Education or through contracts with local educational agencies, colleges, and universities, or private nonprofit agencies, institutions, or organizations.
- (D) Promotion and stimulation of adult basic education programs and projects on the local level and of participation therein and public support thereof.
- (E) A survey of the total number and location of adults in need of basic education in the State.
- (F) Preliminary orientation and in-service training to instructors, instructional aides, supervisors, and other adult basic education staff personnel. The State Board of Education may authorize the State Superintendent to enter into agreements with authorized representatives of approved training institutions to provide for pre-service and in-service administrators, supervisors, and teachers through approved courses, workshops, and institutes.
- (G) Assistance in recruitment of qualified adult basic education personnel (including recruitment of persons in work-study programs provided under Title I, Part C of the Economic Opportunity Act, or Volunteers in Service to America provided under Section 603 of the Economic Opportunity Act).
- (H) Consultative services and technical assistance in planning, organizing, and administering local programs and projects.

- (I) The State Department of Education may make written agreements with colleges, universities, and other public and non-public, non-profit agencies and institutions for research provided in the Plan. Funds may be used to pay part or all of the cost of research, developmental, or experimental programs designed to improve adult basic education or to meet the special education needs of adults who have some handicap which prevents them from succeeding in the adult basic education program.

5.0 Reports.

The state agency will make and submit to the Commissioner the reports described in Section 166.47 of the Regulations, and will maintain records in support thereof as required under Section 166.40 of the Regulations.

6.0 Amendments.

Whenever there is any material change in the content or administration of such program, or in pertinent State law, or in the organization, policies, and operations of the State educational agency, affecting the programs under this plan, the State plan shall be appropriately amended by the State educational agency, and such amendment shall be submitted to the Commissioner. When the amendment is approved by the Commissioner, the plan as amended constitutes the basis on which payments on the Federal share of the sums expended under that plan are made by the Federal Government.

7.0 Legal Authority.

- 7.1 State Board of Education. South Carolina State Constitution as amended by Act 75 of the Acts and Joint Committee of 1963, Article XI, Section 2 - State Board of Education.

"There shall be a State Board of Education composed of one member from each of the judicial circuits of the State. The members shall be elected by the legislative delegations of the several counties within each circuit for terms and with such powers and duties as may be provided by law and shall be rotated among the several counties."

- 7.11 Powers and duties. Acts and Joint Resolutions of the General Assembly of the State of South Carolina, 1963, Section 21-45 as amended.

"Section 21-45. The State Board of Education shall have the power to:

1. Adopt policies, rules and regulations not inconsistent with the laws of the State for its own government and for the government of the free public schools.
2. Annually approve budget requests for the institutions, agencies and services under the control of the Board as prepared by the State Superintendent of Education prior to being submitted to the Budget and Control Board and the General Assembly.
3. Adopt minimum standards for any phase of education as are considered necessary to aid in providing adequate educational opportunities and facilities.
4. Prescribe and enforce rules for the examination and certification of teachers.
5. Grant State Teachers' Certificates and revoke them for immoral or unprofessional conduct, or evident unfitness for teaching.
6. Prescribe and enforce courses of study for the free public schools.
7. Prescribe and enforce the use of textbooks and other instructional materials for various subjects taught or used in conjunction within the free public schools, in accordance with courses of study as prepared and promulgated by the Board.
8. Appoint such committees and such members of committees as may be required or as may be desirable to carry out the orderly function of the Board.

9. Cooperate fully with the State Superintendent at all times to the end that the state system of public education may constantly be improved.
10. Assume such other responsibilities and exercise such other powers and perform such other duties as may be assigned to it by law or as it may find necessary to aid in carrying out the purpose and objectives of the Constitution of the State."

Constitution of the State of South Carolina as amended, May 22, 1959.

7.2 Article XI, Education, Section 1 - Superintendent of Education.

The supervision of public instruction shall be vested in a State Superintendent of Education, who shall be elected for the term of two years by the qualified electors of the State, in such manner and at such time as the other State officers are elected; his powers, duties, and compensation shall be defined by the General Assembly.

- 7.21 Powers and duties. Acts and Joint Resolutions of the General Assembly of the State of South Carolina, 1963, Section 21-23 of the 1962 code as amended.

"Section 21-23. The State Superintendent of Education will:

1. Serve as secretary and administrative officer to the State Board of Education.
2. Have general supervision over and management of all public school funds provided by the State and Federal Government.
3. Organize, staff, and administer a State Department of Education which shall include such divisions and departments as are necessary to render the maximum service to public education in the State.
4. Keep the public informed as to the problems and needs of the public schools by constant contact with all school administrators and teachers, by his personal appearances at public gatherings and by information furnished to various news media of the State.
5. Have printed and distributed such bulletins, manuals, and circulars for the cultivation of public sentiment for public education, and have printed all forms necessary and proper for the administration of the State Department of Education.
6. Administer, through the State Department of Education, all policies and procedures adopted by the State Board of Education.



7. Assume such other responsibilities and perform such other duties as may be prescribed by law or as may be assigned by the State Board of Education."

Constitution of the State of South Carolina as amended, May 22, 1959.

7.3 Article IV, Section 24 - Other State Officers.

There shall be elected by the qualified voters of the State a Secretary of State, a Comptroller General, an Attorney General, a Treasurer, an Adjutant and Inspector General, and a Superintendent of Education, who shall hold their respective offices for the term of four years, and until their several successors have been chosen and qualified; and whose duties and compensation shall be prescribed by law \* \* \*

7.4 Authority of State Educational Agency and State Officials Holding Custody to Federal Funds.

7.41 State Treasurer

Code of Laws of South Carolina, 1962, Volume 5.

Section 21-902. "State Treasurer to hold certain moneys for educational purposes. The State Treasurer shall take and hold in trust for the State any grants or devise of lands and any gift or bequest of money or other personal property made to him for educational purposes, all gifts to the State when the purpose is not designated, all escheated property, the net assets or funds of all estates or co-partnerships in the hands of the courts of the State when there have been no claimants for the same within the last seventy years and other money that came into the State Treasury by reason of the twelfth section of an act entitled 'An Act to Provide a Mode of Distribution of the Moneys as Collected as Direct Tax from the Citizens of this State by the United States, and Turned Over in Trust to the State of South Carolina,' approved December 24, 1891 (Acts 1891, p. 1067) together with such other means as the General Assembly may provide. For faithful management of all property so received the State Treasurer shall be responsible upon his bond to the State as for other funds received by him in his official capacity."

Section 21-903. "Investment of such funds. The State Treasurer shall from time to time invest in bonds of this State or of the United States or in bonds of any county, school district or municipality within the State all such money in the name of the State as a permanent state school fund and shall pay out the income derived therefrom to the counties of the State as the same may be apportioned among the counties by the State Board of Education. But no disposition shall be made of any property, grant, devise, gift or bequest inconsistent with the purposes, conditions or terms thereof."

7.42 State Superintendent

Code of Law of South Carolina, 1962, Volume 5.

Section 21-904. "Funds given the State Superintendent for educational purposes. The State Superintendent of Education shall take and hold in trust for the State any grant or devise of lands and any gift or bequest of money or other personal property made to him for educational purposes and he shall pay into the State Treasury, for safe-keeping and investment, all moneys and incomes from property so received. The State Treasurer shall, from time to time, invest all such moneys in the name of the State and shall pay to the State Superintendent of Education, on the warrant of the Comptroller General, the income or principal thereof as he may, from time to time, require; provided that no disposition shall be made of any grant, devise, gift or bequest inconsistent with the conditions of terms thereof. For all such property the State Treasurer shall be responsible on his bond as for other funds received by him in his official capacity."

7.5 State Laws and Regulations Regarding Expenditures.

7.51 Types of allowable expenditures.

South Carolina General Appropriation Act 1965-66, Section 76, 77, 78.

Section 76. All departments, institutions, and agencies of the State are hereby required and directed to budget and allocate the appropriations herein made to them, so as to provide for operation on uniform standards throughout the fiscal year and in order to avoid a deficiency in such appropriations, and upon request of the Budget and Control Board to submit to the Board its budget or plan of operation for the year, and the said Board is authorized to restrict the rate of expenditures of such agency, if it appears that an unjustifiable deficit is likely to occur. Provided, Further That the bonds of State officials violating the terms of this section shall be held liable thereof, unless the State Budget and Control Board has been advised of, and officially recognizes, the necessity for such deficit.

Section 77. Each department, institution, or other agency of the State is authorized to accept and receive such Federal Aid or grants as are or may be made available by the Federal Government for use in carrying out the purposes and functions of the department, institution or agency, but such funds when and as received, shall be deposited in the state treasury, if not in conflict with Federal regulations, and withdrawn therefrom as needed, in the same manner as that provided for the disbursement of state funds. If it shall be determined that federal funds are not available for, or cannot be

appropriately used in connection with, all or any part of any activity or program for which state funds are appropriated in this Act on a matching basis, the appropriated funds may nevertheless be expended for the activities or programs for which appropriated without regard to any matching arrangement. Provided, Further, that donations or contributions from sources other than the Federal Government, for use by any state agency, shall be deposited in the state treasury, put in special accounts, and shall be withdrawn from the treasury as needed to fulfill the purposes and conditions of the said donations, or contributions, if specified, and, if not specified, as may be directed by the proper authorities of the department or institution.

Section 78. Except as otherwise provided in this Act, every appropriation under the classification of A-1 Salaries for a designated position shall be paid in monthly or bi-weekly installments to the person holding such position, but where a group appropriation is made for Personal Service, such appropriation shall be expended as may be determined by the officer in charge of such appropriation. Provided, Further, That the appropriated salaries for specified positions shall mean the maximum compensation for such position, and in any case where the head of any department can secure the services for a particular position or work at a lower rate than the salary specified in this Act, authority for so doing is hereby given.

Provided, Further, That no full-time employee of any State department or institution shall be paid any compensation or travel from any other department of the State Government except with the Approval of the State Budget and Control Board.

#### 7.6 Annual Leave.

An Act To Provide Annual Leave For State Employees. (R726, H1933)

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Any full-time or permanent State employee shall be entitled to annual leave with pay which shall be computed as follows:

For the first ten years of State service an employee shall earn one working day's leave for each month of full-time employment per year. Thereafter, such employee shall earn an additional working day of annual leave for each year of continuous service. No State employee shall earn or take more than twenty-four working days of annual leave in any one year, nor shall any employee be required to use all working days of annual leave in any one year. However, any such earned and unused annual leave may be accumulated as terminal leave, but not to exceed twenty-four days. It shall be at the

discretion of the department heads to determine the maximum number of consecutive days any employees may have in any one period of leave.

SECTION 2. On the termination, for any reason, of the person's employment with the State Government, such employee or his next of kind, if he is deceased, shall be entitled to salary payments for any earned allowable and unused accrued leave of such employee.

SECTION 3. Any department or agency of the State Government, including the South Carolina Public Service Authority, having an existing merit system, may continue to operate under the terms of such system, and the provisions of this act shall not apply to persons employed by a State department or agency, including the South Carolina Public Service Authority, operating under a system which provides more liberal annual leave benefits.

SECTION 4. No department head shall hire additional employees to replace employees on annual leave, but vacancies may be filled during periods of terminal leave.

SECTION 5. All employees of the State as of the effective date of this act shall receive full credit for employment prior to such date.

SECTION 6. For the purpose of this act, working days shall include every day of each week except Sunday and legal holidays.

SECTION 7. Nothing in this act shall be construed to reduce the number of days of annual vacation any employee is entitled to as now provided by law.

SECTION 8. All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. This act shall take effect as of January 1, 1962.

7.61 State Department of Education Annual Leave Policy and Regulations.

Policy:

The purpose of annual leave is to give an employee extended rest and a change from the routine of work. This will be best served when each employee takes a minimum of one work week. Other time may be scheduled in such a way that it will be agreeable to the employee and the director.

Although annual leave is provided for the benefit of the employee, all employees should be cognizant of the fact that all planning and taking of vacations within a division or section is a cooperative matter since the work of the division or section must be carried on during the time employees are on vacation.



Regulations:

An employee shall earn one day of annual leave per calendar month during each of the first ten years of service but no employee will be eligible to draw upon his earned leave until he has served at least six months with the department.

A temporary employee of this department is a person who is employed for a period of less than six months or on an hourly basis. Temporary employees will not earn annual leave.

Employees with more than ten years of service shall be credited with an additional day of annual leave for each year of continuous service. An employee transferring from another state agency shall be given credit for prior state service upon verification by the former employer.

In addition to annual leave, state employees are allowed two weeks for active military training. Approved absence for jury duty is not counted against annual leave. Requests for military training and jury duty leave should be approved and filed in the same manner as for annual leave.

All leave must have the approval of the Division Director. Please submit all APPLICATIONS FOR LEAVE OF ABSENCE to your Director in triplicate. The original copy when approved by your Director will be returned to you, the second copy will be kept in the Director's file, and the third copy will be sent to the Personnel Office (where it is kept in a suspense file while you are on leave). Upon your return from leave you will sign the original copy and return it to your Director who will forward it on to the Personnel Office to be placed in your permanent file.

An employee shall not be allowed under the law to take more than 24 days annual leave in any one year. The maximum terminal leave allowed any employee shall be 24 days.

A "part-time permanent" employee of this Department is a person who works on a regularly scheduled part-time basis and is covered by both State Retirement and Workman's Compensation. Annual leave will be earned on a percentage basis taking into consideration the number of hours worked per week in proportion to the number of hours in a full week's work. For example, a person who is employed for 12 hours per week will earn  $12/36$  or  $1/3$  of one day's leave per month. This would entitle this "part-time permanent" employee to  $2 \frac{1}{3}$  work hours of leave per month or 28 work hours for each twelve months of part-time permanent employment. After the first ten years such employee shall earn an additional  $2 \frac{1}{3}$  work hours of annual leave for each year of continuous "part-time permanent" employment.

It is the policy of the State Department of Education to require a 30-day notice from professional employees who

wish to resign. A 14-day notice will be required from other employees wishing to resign. Otherwise, the employee will forfeit any accrued leave.

## 7.7 Employee benefits

- A. South Carolina Retirement System. S. C. Code of Laws, 1962, Section 61-2; S. C. Code of Laws, 1952, Section 61-2; 1945 (44) 212; 1949 (46) 424.

Section 61-2. Establishment of System. A retirement system is hereby established and placed under the management of the State Budget and Control Board for the purpose of providing retirement allowances and other benefits for teachers and employees of the State and political subdivisions or agencies or departments thereof. The System so created shall have the power and privileges of a corporation and shall be known as the South Carolina Retirement System, and by such name all of its business shall be transacted, all of its funds invested, and all of its cash, securities and other property held.

- B. Coverage of Certain Public Officers and Employees Under Federal Social Security Act. South Carolina Code of Laws, 1962, Section 61-221

- C. The State Retirement and Social Security Act of 1955. South Carolina Code of Laws, 1962, Section 61-224 - 244. Sections 61-234 thru 61-237

Section 61-234. South Carolina Retirement System deemed one System; not a separate system under Social Security Act. For purposes of this chapter, the South Carolina Retirement System shall be deemed to constitute one retirement System, and in no event shall the South Carolina Retirement System be deemed to be, with respect to any participating employer, a separate retirement system within the meaning of Section 218(d) (6) of the Social Security Act. (1955 (49) 43).

Section 61-235. Contributions of employees; deduction from wages; refunds and adjustments.

(1) Every employee whose services are covered by an agreement entered into under Sections 61-231 to 61-233 shall be required to pay for the period of service with respect to which such agreement is effective, into the contribution fund established by Section 61-240, contributions with respect to wages equal to the amount of employee tax which would be imposed by the Federal Insurance Contributions Act if such services constituted employment within the meaning of that act. Such liability shall arise in consideration of the employee's retention in the service of the participating employer or his entry upon such service, after February 17, 1955.

(2) The contribution imposed by this section shall be collected by deducting the amount of the contribution from wages as and when paid, but failure to make such deduction shall not relieve the employee from liability for such contribution.

(3) If more or less than the correct amount of the contribution imposed by this section is paid or deducted with respect to any remuneration, proper adjustments, or refund if adjustment is impracticable, shall be made, without interest, in such manner and at such times as the State Agent shall prescribe. (1955 (49) 43).

Section 61-236. Same; collection by employer. Each participating employer may, in consideration of the employee's retention in, or entry upon, employment after February 17, 1955, collect the contributions required of its employees under Section 61-235. Contributions so collected shall be paid into the Contribution Fund in partial discharge. To deduct such contribution shall not relieve the participating employer of liability therefor. (1955 (49) 43).

Section 61-237. Contributions of employers. Each participating employer shall pay into the Contribution Fund, with respect to wages, at such time or times as the State Agent may, by regulation, prescribe, contributions in the amounts and at the rates specified in the applicable agreement entered into by the State Agent under Sections 61-231 to 61-233. (1955 (49) 43).

#### 7.8 Fiscal audit and accounting procedures.

Code of Laws of South Carolina, 1962, Volume 1.

Article 9, paragraph 1-882. "Examination of financial affairs of certain officers and institutions. The State Auditor shall examine at least once each year the books, accounts, receipts, disbursements, vouchers and records of all State Officers charged with the receipt and expenditure of public funds and of all State educational, charitable and penal institutions for the support of which the State contributes by an appropriation or provision of law."

#### Policy Statement - Local Educational Agencies

Financial records will be maintained in conformity with Handbook II, State Educational Records and Reports Series. The State Department of Education accounting system conforms to Handbook II.

Projects will be audited by the State Department of Education. Districts will include an audit of these funds in the scope of their Annual Audit, and request the accountants to include in their report a statement to the effect that these funds were audited and found to be properly accounted for in accordance with accepted accounting practices.

Payment of funds to local educational agencies

Determination of fiscal year's allotment in which expenditure is made

South Carolina General Appropriation Act, 1965-66, Section 91. (This statement is carried in the General Appropriation Bill annually).

SECTION 91. That unless specifically authorized herein, the appropriations provided in this Act as ordinary operating expenses of the State Government shall lapse on August 31, 1966. Provided, That appropriations for permanent improvements, or for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year following the close of the fiscal year in which such appropriations were provided, unless definite commitments shall have been made with the approval of the State Budget and Control Board, toward the accomplishment of the purposes for which the appropriations were provided.



8.0' Certification of the State Plan.

8.1 Certification of State Plan by official of the State agency authorized to submit the State plan.

State of South Carolina

I hereby certify that the attached State plan was duly adopted by the State agency on May 12, 1967, and that the plan will constitute the basis for operation and administration of the program in which there is Federal financial participation.

May 15, 1967

(Date)

/s/ Cyril B. Busbee

(Signature)

State Superintendent of Education

(Title)

8.2 Certification by State Attorney General.

State of South Carolina

I hereby certify that the State Department of Education, the State agency named in the plan, is the sole State agency for administration of the plan or for supervision of the administration of the plan; and that such State agency has authority under State law to develop, submit, and administer or supervise the administration of the plan; that the official title of the officer authorized to submit the State plan is the State Superintendent of Education; that the State Treasurer has authority under State law to receive, hold and disburse Federal funds under the State plan; and that all provisions contained in the plan are consistent with State law and that all copies of laws, citations to pertinent laws, and interpretations thereof relative thereto are included in the plan and are correct.

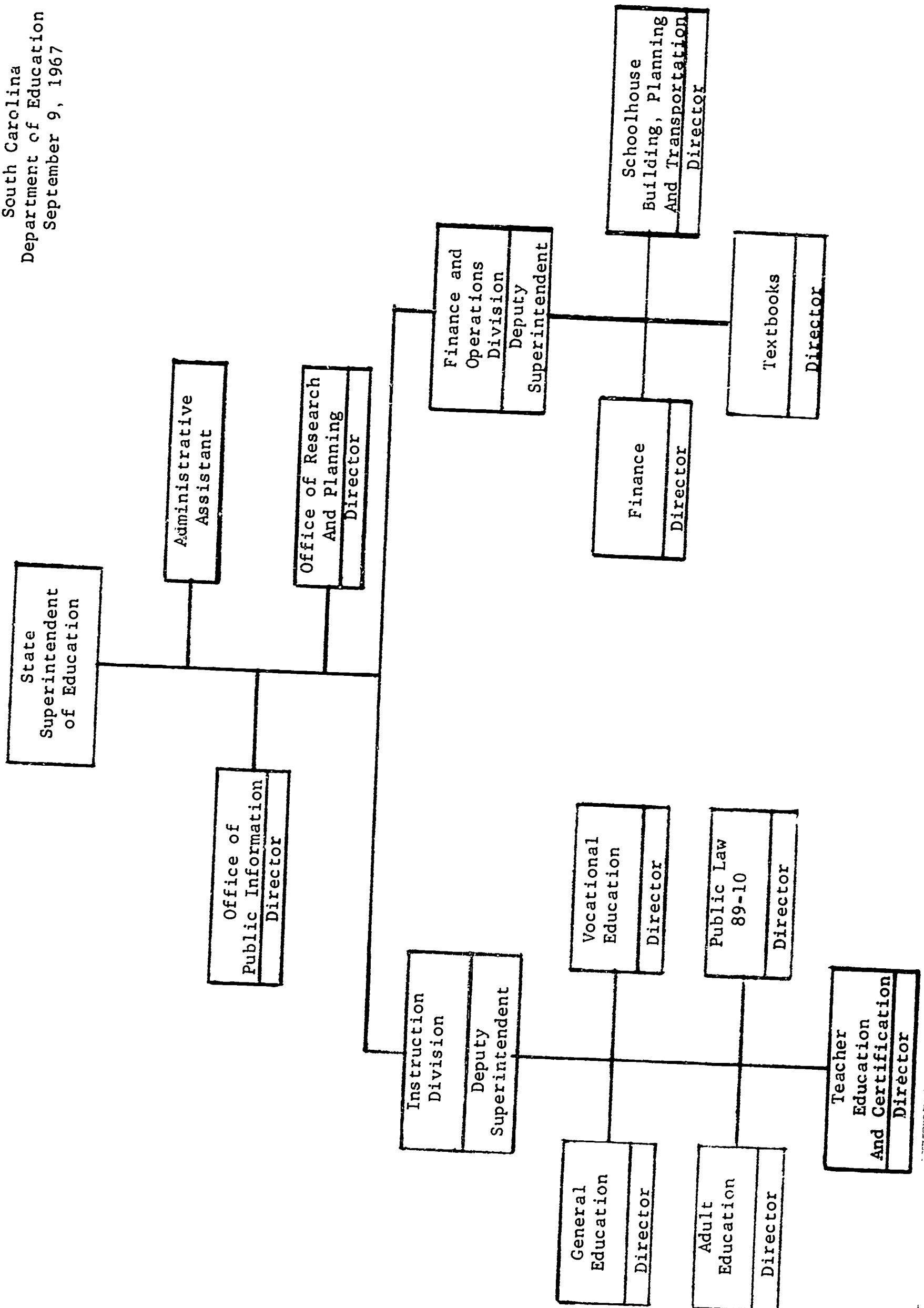
May 15, 1967  
(Date)

/s/ Daniel R. McLeod  
(Signature)

Attorney General  
(Title)

Organization  
South Carolina  
Department of Education  
September 9, 1967

APPENDIX A-1(A)



State Health Agency. Cooperative Agreement Between the South Carolina State Board of Health and the South Carolina State Department of Education.

Because of mutual interest in a program of adult basic education designed to substantially raise the educational level of adults with a view to making them less likely to become dependent on others, improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and making them better able to meet their adult responsibilities, the South Carolina State Board of Health and the South Carolina State Board of Education have entered into the following agreement:

The State Health authority shall both at the State level and through each county department and at no cost to other State and local agencies participating in the program:

1. provide such health information as will help improve the health of the individuals in the classes;
2. encourage all personnel to help find and get into classes the under-educated adults;
3. provide to the adults involved in this program such health services as are permissible and available, such as: immunization against small pox, polio, diphtheria, whooping cough, and tetanus; tests and x-rays to detect tuberculosis; tests and treatment for venereal diseases; tests of blood, water, milk, and body discharges; home visits by public health nurse to help the family learn how to carry out the physician's orders, care for the patient in the home, and know where to go for additional help; advice to expectant mothers before and after the baby comes; counsel about child care, nutrition, and child growth and development. (The following special services may be provided in some of the county health departments: cancer, glaucoma, and diabetes detection clinics; family planning services; hearing testing programs; and heart and rheumatic fever clinics);
4. provide medical advice when problems arise in educating the handicapped adult.

The State and Local Educational Agencies shall:

1. refer eligible persons to the local health authority ("Eligible persons" shall include all adults in need of basic education who are enrolled in adult basic education programs, or who, but for health reasons, might be enrolled in such a program);
2. make available through the basic adult education program health information provided by the State health authority;



3. in cooperation with the State health agency develop basic education materials utilizing the information furnished by the State health authority.

An interagency committee shall be set up by the State Department of Education and the State Health agency to cooperatively plan and coordinate the work as to insure the maximum promotion of objectives of the Act.

May 15, 1967

Date

/s/ Cyril B. Busbee

State Superintendent of Education  
S. C. State Department of Education

May 15, 1967

Date

/s/ E. Kenneth Aycock

State Health Director  
S. C. Board of Health

